

**ARMSTRONG TEASDALE LLP**

One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-7740
Phone: (314) 621-5070
Fax: (314) 621-5065
www.armstrongteasdale.com

Date: July 17, 2002

Please Deliver To:

Name: Ms. Jeter

Firm: U.S. Patent Office Attn: Licensing & Review

Tel:

Fax: (703) 305-6384

Client/Matter #: 12729-200

From: Robert B. Reeser III

RECEIVED
JUL 17 2002
LICENSING & REVIEW

Total pages including cover page: 4

If all pages are not received, please contact Judith C. Brandon at ext. 7473

Re: Serial No. 10/026,162

Filed December 21, 2001

Re Requirement for NASA Declaration

Dear Ms. Jeter:

Thank you so very much for your assistance in the above-referenced matter. Attached hereto is the fully executed Declaration Under Section 305(c) of the National Aeronautics and Space Act of 1958. Also attached is a copy of the original Notice received from the Patent Office. We appreciate your willingness to accept this document late due to one inventor being out of town and unable to sign the document until this week. Thank you again for your help.

The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.

***IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US IMMEDIATELY AT (314) 621-5070.**

BEST AVAILABLE COPY

13DV-14056
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Michael Koshoffer, et al. :
Serial No.: 10/026,162 :
Filed: December 21, 2001 :
For: METHODS AND APPARATUS FOR :
OPERATING GAS TURBINE ENGINES :

Art Unit: 3746
Examiner: Unassigned
ATTN: LICENSING AND REVIEW

Commissioner for Patents
Attn: Licensing and Review
Washington, D.C. 20231

RECEIVED
JUL 17 2002
LICENSING & REVIEW

DECLARATION UNDER SECTION 305(c) OF THE
NATIONAL AERONAUTICS AND SPACE ACT OF 1958

Sir:

We, JOHN MICHAEL KOSHOFFER, KEVIN R. DRAKE, and LAWRENCE BUTLER, do hereby declare:

That we are the inventors of the invention described and claimed in the above-referenced U.S. patent application;

That the invention was made while we were employed by the General Electric Company, the assignee of the subject invention, using facilities, equipment, materials, funds, information and services furnished by the General Electric Company;

That the invention set forth in the above-referenced U.S. Patent Application was not made (conceived or first actually reduced to practice) under nor is there any known relationship of the making of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration;

That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7-16-02


Date

7-15-02

Date

7-15-02

Date



JOHN MICHAEL KOSHOFFER



KEVIN R. DRAKE



LAWRENCE BUTLER


**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|---------------|-------------|-----------------------|------------------|
| 10/026,162 | 12/21/01 | KOSHOFFER, ET AL. | 13DV-14056 |

JOHN S. BEULICK
ARMSTRONG TEASDALE LLP
ONE METROPOLITAN SQ., SUITE 2600
ST. LOUIS, MO 63102

| EXAMINER | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| | 3 |

DATE MAILED: 30 MAY 2002

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☒ have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-0239

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**